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OFFICE OF PETITIONS

In re Patent No. 6,105,023
Issue Date: August 15, 2000
Application No. 08/912,757
Filed: August 18, 1997
Attorney Docket No. 7663-400

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:DECISION GRANTING PETITION
:UNDER 37 CFR 1.378(c)
:
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This is a decision on the petition, filed December 8, 2004, under 37 CFR 1.378(c) to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is GRANTED.

The patent issued August 15, 2000. The grace period for paying the first maintenance fee expired at midnight on August 15, 2004. Therefore, since this petition was filed within twenty-four months after the six-month grace period provided in 37 CFR 1.362(e), this petition was timely filed under the provisions of 37 CFR 1.378(c).

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that the delay in paying the maintenance fee under 37 CFR 1.378(c) was intentional, petitioner must notify the Office.

Accordingly, the maintenance fee in this case is hereby accepted and the above-identified patent is hereby reinstated as of the mail date of this decision.

Petitioner may not receive future correspondence related to maintenance fees for the above-identified patent unless a "fee address" (see PTO/SB/47) is submitted for the above-identified patent.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3218.

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Frances Hicks

Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy